

### Remarks

Claim 28 is pending for the Examiner's consideration. Claims 1-27 have been canceled. No new matter is believed to have been added.

The title has been amended for clarification purposes to recite --METHOD OF CREATING PRECIPITATION OVER A TARGET AREA--.

With respect to new claim 28, support for this claim can be found throughout Applicant's specification including but not limited to: page 8, lines 4-12; page 9, lines 2-14; page 11, line 27 to page 12, line 12; page 12, line 18 to page 13, line 9; page 13, lines 14-21; page 15, lines 15-17; page 17, lines 16-18; and page 18, lines 4-19.

New claim 28 is directed to a method of creating precipitation over a target area comprising, *inter alia*: (i) promoting the formation of a cloud in an atmospheric region with a relative humidity of at least 60% at an altitude up to 7,000 feet; (ii) promoting growth of the cloud to increase mass and density thereof through an updraft created by an exothermic reaction; (iii) promoting movement of the cloud toward the target area; (iv) promoting rain from the cloud onto the target area while also suppressing hail formation by introducing additional sodium chloride powder into the mid-region while simultaneously introducing urea at the cloud base region and introducing 100-300 grams of silver iodide flares at the cloud top region, respectively; (v) wherein the cloud has at least 8 m/sec. of updraft at an altitude of 21,500 feet; and (vi) releasing flakes of dry ice at about 1,000 feet below the base region of the cloud.

In the Office Action, claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over V. Rasmidatta, "An Observation on the Effect of Weather on Rain Making," Thai J. Agr. Sci., Vol. 8 (January 1975), pp. 53-57 ("Rasmidatta") in view of U.S. Patent No. 3,690,552 to Plump *et al.* ("Plump").

Applicant respectfully disagrees with the asserted position in the Office Action that the combination of Rasmidatta and Plump renders the claimed invention obvious. In part, Applicant believes that the combination is improper, disagrees with the alleged relevance of Plump, and disagrees with the interpretation of the scope of Plump as encompassing formations of military aircraft and aircraft for fighting wild fires.

Nevertheless, claim 27 has been canceled herein without prejudice and thus this rejection is moot.

It is believed that the pending claim is in condition for allowance, which is respectfully requested. If the Examiner does not agree, then a personal or telephonic interview is respectfully requested to discuss any remaining issues so as to expedite allowance.

A Petition for Extension of Time is submitted concurrently herewith. Should any additional fees be required, please charge any such fees, and credit any overpayments, to Steptoe & Johnson LLP Deposit Account No. 19-4293.

Date: April 6, 2011

Respectfully Submitted,

/Seth A. Watkins/

Seth A. Watkins Reg. No. 47,169

**STEPTOE & JOHNSON LLP**

1330 Connecticut Avenue, NW

Washington, D.C. 20036-1795

(202) 429-3000

Attachment